

**DELEGATION OF AUTHORITY
SOLID WASTE DISPOSAL ACT (SWDA)**

Administrative Enforcement:

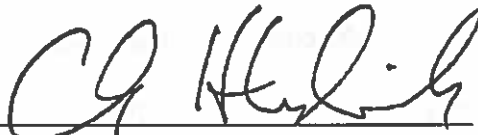
Agency Representation In Hearings and Signing of Consent Agreements

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act (SWDA):
 - a. To represent the Agency in administrative enforcement actions conducted under the Solid Waste Disposal Act (SWDA) and 5 U.S.C. Section 554.
 - b. To negotiate consent agreements between the Agency and respondents resulting from such enforcement action.
 - c. To initiate an appeal from an administrative determination.
 - d. To represent the Agency in such appeals.
 - e. To sign consent agreements between the Agency and respondents resulting from such enforcement action.
2. **TO WHOM REDELEGATED.**
 - a. The authorities in 1.a., 1.b., and 1.d. are redelegated through the Regional Counsel to attorneys in the Office of Regional Counsel.
 - b. The authorities in 1.c. and 1.e. are redelegated to the Director, Enforcement and Compliance Assurance Division, or equivalent.
3. **LIMITATIONS.**
 - a. The AA for OECA may exercise these authorities for cases initiated by Headquarters, in multi-Regional cases or cases of national significance, and must notify any affected regional official when exercising any of the above authorities.
 - b. The regional officials may exercise these authorities only for those cases initiated by the region.
 - c. The regional officials must consult with the AA for OECA prior to initiating an appeal.
 - d. Clearance or approval of the form, text, and legal sufficiency of each legally operative document issued under this delegation must be obtained from the Office of Regional Counsel before that document is signed and issued.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the section chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESION.** This delegation supersedes R10 8-9-A (08/02/2016) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h) of SWDA.
- b. 40 C.F.R. Part 22.
- c. EPA Delegation 8-32 and R10 Redelelegation 8-32.
- d. EPA Delegation 8-9-B.

APR 15 2019
Date


Chris Hladick
Regional Administrator